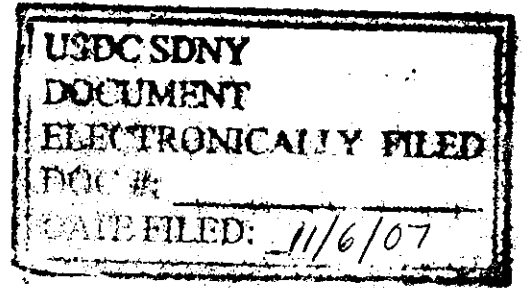


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
PROCAPUI-PRODUCTORES DE CAMAROS
DE ICAPUI LTDA.,

Plaintiff,

-against-

MARCIAL GERALD LAYANI, et al.,

Defendants.
----- x

:
: 07 Civ. 6627 (BSJ) (AJP)

:
: RULE 16 INITIAL PRETRIAL
: CONFERENCE ORDER

ANDREW J. PECK, United States Magistrate Judge:

Based on the Initial Pretrial Conference pursuant to Rule 16, Fed. R. Civ. P., held on November 6, 2007 before Magistrate Judge Andrew J. Peck, IT IS HEREBY ORDERED THAT:

1. All defendants who have been served are to answer the complaint by November 13, 2007, including the Higgins defendants (which is without prejudice to their pending motion to dismiss).

2. All fact and expert discovery must be completed by February 8, 2008. Expert reports must be served by January 7, 2008, and opposition January 21, 2008. Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due November 16, 2007.

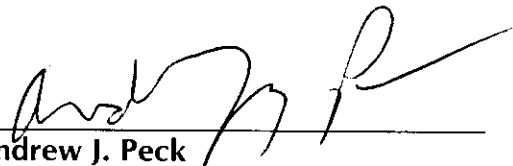
3. A status conference will be held before the undersigned on January 9, 2008 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

4. The Court sanctions Counsel Lonergan \$1,000, payable to the Clerk of Court by November 16, 2007 (with proof of payment to be supplied to my chambers by November 16, 2007) for wilfully failing to appear at today's conference, as more fully explained on the record at today's conference (see transcript). If Mr. Lonergan wishes to seek reconsideration, he is to file his papers by close of business on November 9, 2007. Filing of a request for reconsideration or filing objections with Judge Jones will not stay the time for payment.

5. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

DATED: New York, New York
November 6, 2007



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Luigi P. De Maio, Esq.
John J. Phelan, III, Esq.
Lawrence R. Lonergan, Esq.
Arnold J. Ludwig, Esq.
Judge Barbara S. Jones